

REMARKS

I. Introduction

Claims 10 to 19 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 10 to 14, and 18 Under 35 U.S.C. § 102(e)

Claims 10 to 14, and 18 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,612,393 ("Bohner '393"). It is respectfully submitted that Bohner '393 does not anticipate the present claims for at least the following reasons.

To anticipate a claim, each and every element as set forth in the claim must be found in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of Calif., 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). That is, the prior art must describe the elements arranged as required by the claims. In re Bond, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). In other words, to be anticipatory, a single prior art reference must show all of the limitations of the claims arranged or combined in the same way as recited in the claims. Net Moneyin, Inc. v. Verisign, Inc., 545 F.3d 1359 (Fed. Cir. 2008).

Claim 10 relates to a hydraulic power steering system, including, *inter alia*, the features of a servo cylinder including a piston rod, and a rack, in which *the rack and the piston rod are adapted to act in a parallel arrangement with one another on an addition member to jointly adjust the steering angle of the wheel.*

Bohner '393 does not disclose, or even suggest, all of the features included in claim 10. In this regard, Bohner '393 merely describes a steering system including a normal operating system, an auxiliary operating system, and an emergency operating system, each of which is operated separately from the other systems. Col. 2, lines 26 to 44. For example, Bohner '393 states that both the auxiliary system and emergency system are shut off during normal mode, both the normal system and emergency system are shut off during transitional phase, and

both the normal system and auxiliary system are shut off during emergency mode. Col. 4, lines 27 to 34; col. 5, lines 27 to 33, and 52 to 59. Moreover, Bohner '393 shows the separate operation of each system graphically in Figure 3. Col. 6, lines 40 to 51. Thus, nowhere does Bohner '393 disclose **jointly adjusting** the steering angle.

Nonetheless, the Final Office Action at page 2 asserts that “Examiner believes that the applicant[’s] claims are not specific to a system that has to be operational continuously at all times.” This assertion cannot be understood because “continuous operation at all times,” as asserted by the Final Office Action, has not been argued, nor claimed, by the Applicants. Instead, as set forth above, claim 10 includes the feature of *a rack and a piston rod adapted to act in a parallel arrangement with one another on an addition member to **jointly adjust** a steering angle.*

The Final Office Action at page 2 apparently asserts that since movement of a connecting rod 3 of Bohner '393 may also cause movement of another connecting rod 3', this somehow constitutes jointly adjusting. Applicants respectfully disagree. In this regard, the movement of one connecting rod 3 causing movement of the other connecting rod 3' is directly contrary to the claimed subject matter of a rack and a piston rod jointly adjusting a steering angle. Nowhere does Bohner '393 disclose that its connecting rods 3 and 3' **jointly adjust** the steering angle since each of the normal system, auxiliary system, and emergency system of Bohner '393 functions separately from each other. Further, Bohner '393 states that “provision may be made to arrange piston-cylinder unit 4 and 4' on a **common connecting rod 3** and/or to couple it thereto.” Col. 7, lines 26 to 28 (emphasis added). Therefore, Bohner '393 clearly states that only a single common connecting rod 3 is required in its system to adjust the steering angle because each of its systems functions separately without any jointly adjusting of the steering angle. Therefore, Bohner '393 does not disclose, or even suggest, the feature that *the rack and the piston rod are adapted to act in a parallel arrangement with one another on an addition member to jointly adjust the steering angle of the wheel.*

Moreover, Bohner '393 states that “in the illustrated example embodiment, connecting rod 3, is configured regionally as a steering rack.” Col. 3, lines 55 to 57. Thus, as shown in Figures 1 and 4 of Bohner '393, the piston-cylinder unit 4 of connecting rod 3 is arranged **serially** with rack portion of connecting rod 3,

which is in direct contrast with the presently claimed subject matter of a rack and a piston rod adapted to act in **a parallel arrangement**. That is, when the normal system of Bohner '393 that utilizes connecting rod 3 is in operation, the piston-cylinder unit 4 and rack of connecting rod 3 act in a serial arrangement, not a parallel arrangement. In this regard, the specification describes potential advantages of the claimed parallel arrangement, e.g., at page 5, lines 1 to 6. Therefore, Bohner '393 does not disclose, or even suggest, the feature that *the rack and the piston rod are adapted to act in a parallel arrangement with one another on an addition member to jointly adjust the steering angle of the wheel*.

Accordingly, Bohner '393 does not disclose, or even suggest, all of the features included in claim 10. As such, it is respectfully submitted that Bohner '393 does not anticipate claim 10.

As for claims 11 to 14, and 18, which ultimately depend from and therefore include all of the features included in claim 10, it is respectfully submitted that Bohner '393 does not anticipate these dependent claims for at least the same reasons more fully set forth above.

In view of all the foregoing, withdrawal of this rejection is respectfully requested.

III. Rejection of Claim 19 Under 35 U.S.C. § 103(a)

Claim 19 was rejected under 35 U.S.C. § 103(a) as unpatentable over Bohner '393. It is respectfully submitted that Bohner '393 does not render unpatentable the presently pending claim for at least the following reasons.

Claim 19 depends from claim 10. As more fully set forth above, Bohner '393 does not disclose, or even suggest, all of the features included in claim 10, from which claim 19 depends. As such, it is respectfully submitted that Bohner '393 does not render unpatentable claim 19, which depends from claim 10.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Allowable Claim 15

Applicants note with appreciation the allowance of claim 15.

V. Allowable Subject Matter

Applicants note with appreciation the indication of allowable subject matter included in claims 16 and 17. In this regard, the Examiner will note that claims 16 and 17 have been rewritten in independent form. As such, it is respectfully submitted that claims 16 and 17 are in condition for immediate allowance.

VI. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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